



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

Case File: A-78-16

Property Address: 1101 South Person Street

Property Owner: Janice Evans James

Project Contact: Nasir Dukes

Nature of Case: A request for a 4.07' side street setback variance pursuant to Section 2.2.1. of the Part 10A Unified Development Ordinance to legalize the existing detached house and allow a second story addition above it that results in a 5.93' side street setback on a .17 acre property zoned Residential-10 and NCOD and located at 1101 South Person Street.



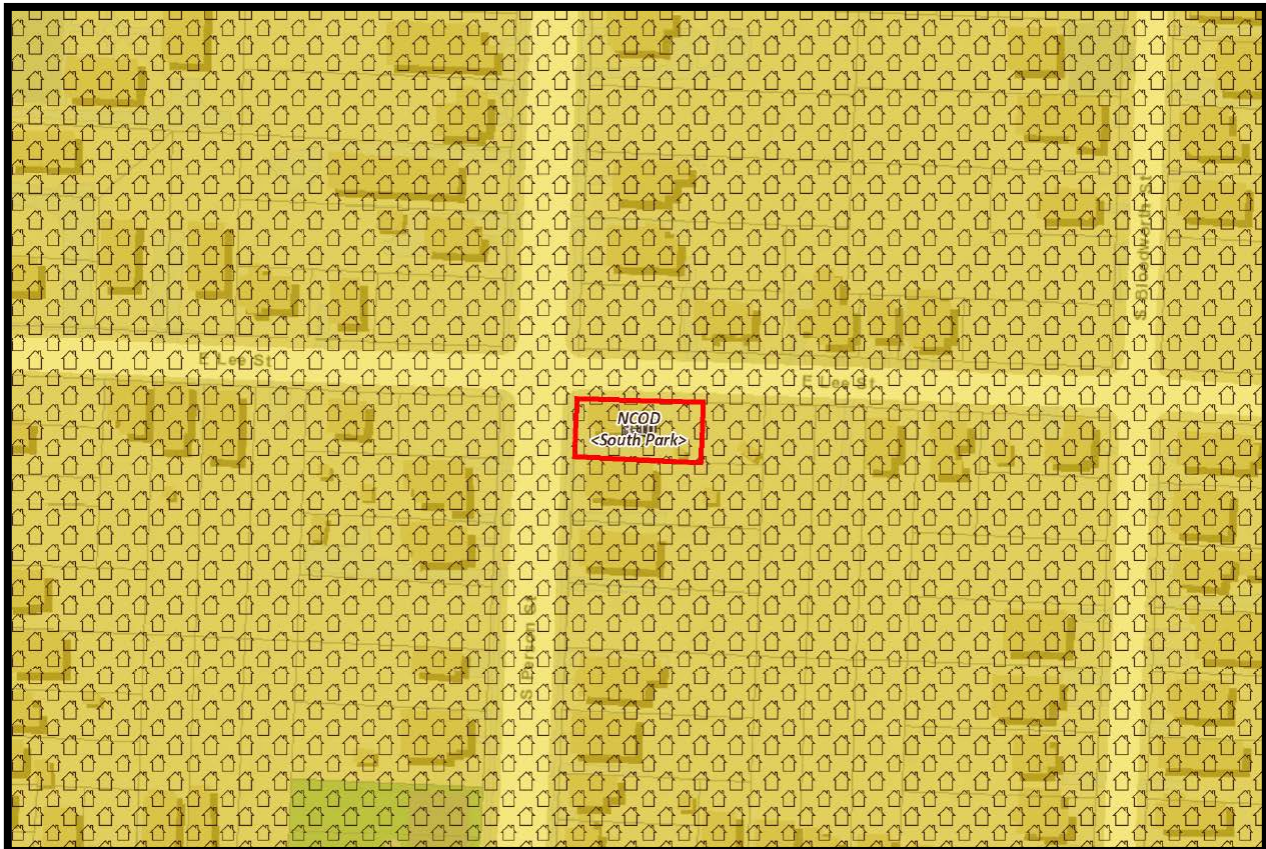
1101 South Person Street – Location Map

To BOA: 7-11-16

Staff Coordinator: Eric S. Hodge, AICP

ZONING

DISTRICTS: Residential-10 and Neighborhood Conservation Overlay District (South Park)



1101 South Person Street – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Setback Standards: The subject property is zoned Residential-10

<u>Yard Type</u>	<u>Minimum Setback</u>
Front Yard	10'
Side Street	10'
Side	5'
Sum of Side Setbacks	10'
Rear	20'

Neighborhood Conservation Overlay District (South Park):

- a. Minimum lot size: 3,000 square feet.
- b. Maximum lot size: 8,000 square feet.
- c. Minimum lot width: 40 feet
- d. Maximum lot width: 80 feet
- e. Front yard setback: Within 10% of the average front yard setback established by buildings on the same side of the block face of the proposed building, but not less than 8 feet or greater than 30 feet.
- f. Building entrance: The main building entrance shall face the street from which the building is addressed. No upper story entrance shall be visible from an adjacent public right-of-way.
- g. Maximum building height: 25 feet.
- h. Off-street parking: Parking shall be located to the side or rear of the building. With the exception of single-unit living, no parking areas shall be located in front of any principal building. Single-unit living parking shall be regulated according to article 7.1.

Application for Variance

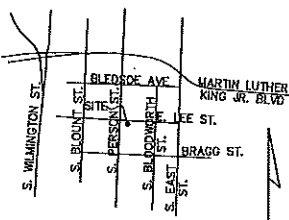


Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
Nature of variance request (if more space is needed, submit addendum on separate sheet): <i>Second story addition</i>	Transaction Number <i>A-78-16</i>
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number. <i>No</i>	JUN 02 2016 CITY OF RALEIGH PLANNING DEPT.

GENERAL INFORMATION		
Property Address <i>1101 South Person Street Raleigh NC 27601</i>	Date <i>June 2, 2016</i>	
Property PIN <i>1703842205</i>	Current Zoning <i>R-10 + NCOD</i>	
Nearest Intersection <i>East Lee Street</i>	Property size (in acres) <i>.17</i>	
Property Owner <i>Janice Evans James</i>	Phone <i>919-607-0159</i>	Fax <i>N/A</i>
Owner's Mailing Address <i>1101 South Person Street Raleigh NC 27601</i>	Email <i>janice.james54@gmail.com</i>	
Project Contact Person <i>Nasir Dukes</i>	Phone <i>919-637-7776</i>	Fax
Contact Person's Mailing Address <i>4441 Six Forks Rd. Ste 100-182 Raleigh NC 27609</i>	Email <i>ndukes@dukeproperties.com</i>	
Property Owner Signature <i>Janice Evans James</i>	Email <i>janice.james54@gmail.com</i>	
Notary Sworn and subscribed before me this <i>2nd</i> day of <i>June</i> , 20 <i>16</i>	Notary Signature and Seal <i>Heather Bornes-Jones</i>	
<i>Wake County, NC</i>		



VICINITY MAP (NTS)

LEGEND:

- R/W = RIGHT OF WAY
- C/L = CENTER LINE
- EIP = EXISTING IRON PIPE
- P/L = PROPERTY LINE
- () = FIELD MEASUREMENTS
- ⊙ = SEWER MANHOLE
- ⊙ = CLEAN OUT (SEWER)
- ⊙ = UTILITY POLE
- ⊙ = WATER METER

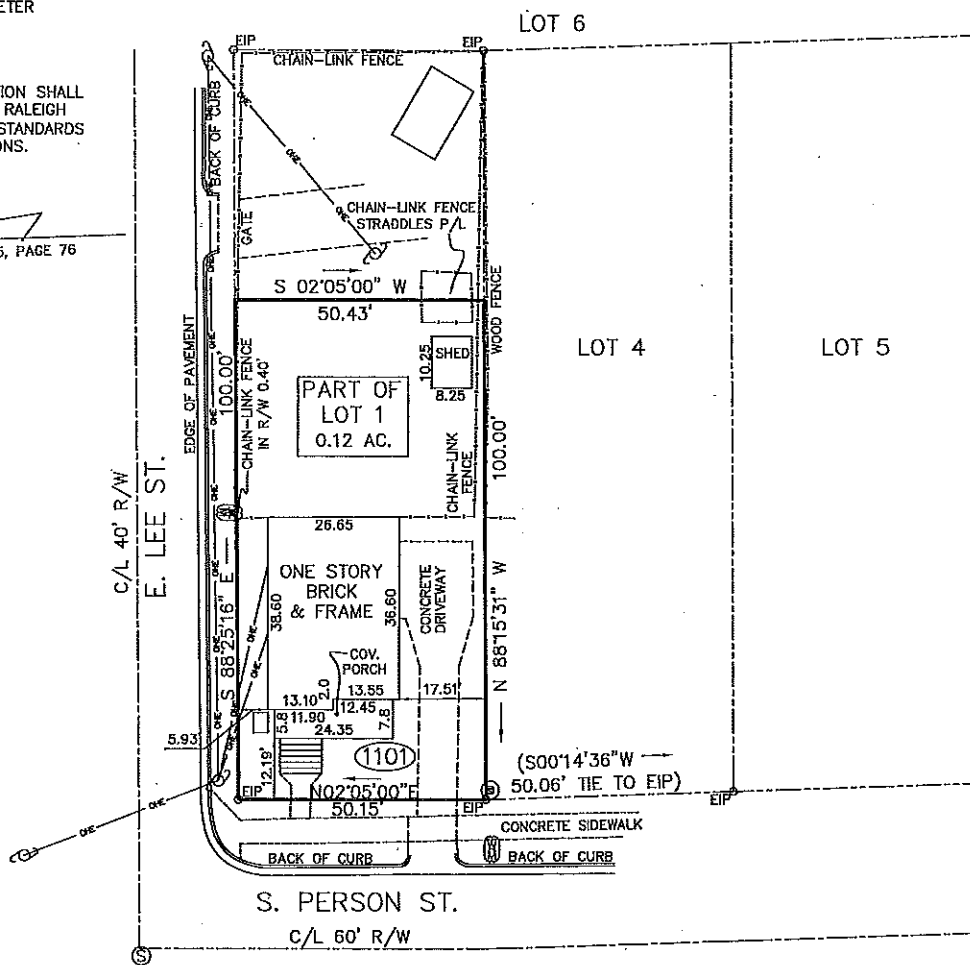
NOTE:
-ALL CONSTRUCTION SHALL
BE PER CITY OF RALEIGH
AND/OR NCDOT STANDARDS
AND SPECIFICATIONS.

BOOK OF MAPS 1885, PAGE 76

- NOTES:
- NOT FOR RECORDATION, CONVEYANCES, OR SALE.
 - PROPERTY SUBJECT TO ANY EASEMENTS OF RECORD.
 - TITLE SEARCH NOT PERFORMED BY THIS OFFICE.
 - PROPERTY DIMENSIONS DIFFER FROM RECORDED PLAT.
 - BEARINGS AND DISTANCES SHOWN ARE FROM MONUMENTATION LOCATED IN FIELD.
 - PROPERTY IS IN THE NEIGHBORHOOD CONSERVATION OVERLAY DISTRICT OF SOUTHPARK.

- SETBACKS FOR R-10 ZONING:
- PRINCIPAL BUILDING SETBACKS:
- FROM PRIMARY STREET = 10'
 - FROM REAR LOT LINE = 20'
 - FROM SIDE LOT LINE = 5'
 - SUM OF SIDE SETBACKS = 10'
 - FROM SIDE STREET = 10'

- ACCESSORY STRUCTURE SETBACKS:
- FROM PRIMARY STREET = 50'
 - FROM SIDE STREET = 20'
 - FROM SIDE LOT LINE = 5'
 - FROM REAR LOT LINE = 5'



THIS PROPERTY IS NOT LOCATED IN AN AREA DESIGNATED AS HAVING SPECIAL FLOOD HAZARDS ACCORDING TO FLOOD INSURANCE RATE MAP #3720170300 J, EFFECTIVE DATE: MAY 2, 2006.

PART OF
LOT 1 BLOCK 6 SECTION
SUBDIVISION SOUTH PARK

AS-BUILT

RECORDED IN BOOK OF MAPS 1885 PAGE 76 WAKE COUNTY REGISTRY

SAW/MW
2016044

I, SONJA STWARD, HEREBY CERTIFY
THAT THIS MAP IS CORRECT, THAT
THE BUILDINGS EIP WHOLLY ON THE
LOT, AND THAT THERE ARE NO
ENCROACHMENTS OF OTHER BUILDINGS
ON THE SAID LOT, EXCEPT AS SHOWN
ON SURVEY.

L-4017

SURVEY FOR:

JANICE EVANS JAMES

RALEIGH

WAKE COUNTY

NC

SCALE: 1"=30'

DATE: 03/14/16

BOOK #: 294p67

WARD SURVEYING SERVICES, PLLC
LAND SURVEYING & PLANNING
APEX, N.C. (919) 367-7858



Home

Wake County Real Estate Data Account Summary

iMaps
Tax Bills

Real Estate ID 0012358 PIN # 1703842205

Account
Search

Location Address	Property Description
1101 S PERSON ST	1101 S PERSON ST

[Pin/Parcel History](#) [Search Results](#) [New Search](#)

NORTH CAROLINA Account Buildings Land Deeds Notes Sales Photos Tax Bill Map

Property Owner JAMES, JANICE EVANS (Use the Deeds link to view any additional owners)		Owner's Mailing Address 1101 S PERSON ST RALEIGH NC 27601-2650		Property Location Address 1101 S PERSON ST RALEIGH NC 27601-2650	
Administrative Data Old Map # B033-B0216-0009 Map/Scale 1703 16 VCS 01RA545 City RALEIGH Fire District Township RALEIGH Land Class R-<10-HS ETJ RA Spec Dist(s) Zoning R-20 History ID 1 History ID 2 Acreage .11 Permit Date 4/29/2016 Permit # 0000130836		Transfer Information Deed Date 5/1/1985 Book & Page 85-E- 546 Revenue Stamps Pkg Sale Date Pkg Sale Price Land Sale Date Land Sale Price Improvement Summary Total Units 1 Recycle Units 1 Apt/SC Sqft Heated Area 962		Assessed Value Land Value Assessed \$45,000 Bldg. Value Assessed \$35,153 Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value Assessed* \$80,153	

*Wake County assessed building and land values reflect the market value as of January 1, 2016, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2016 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2016 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at RevHelp@wakegov.com or call 919-856-5400.

Real Estate ID 0012358

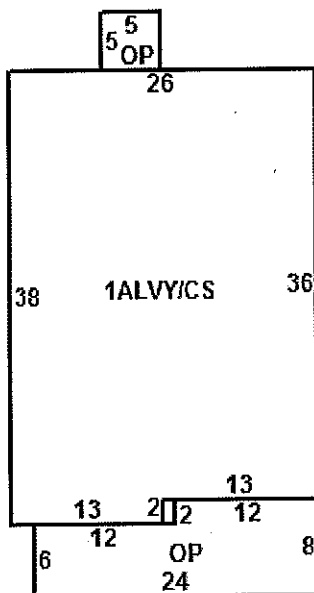
PIN # 1703842205

Account
SearchLocation Address
1101 S PERSON STProperty Description
1101 S PERSON ST[Pin/Parcel History](#) [Search Results](#) [New Search](#)[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Building Location Address		Building Description		Card 01 Of 01	
1101 S PERSON ST		01RA545			
Bldg Type	01 Single Family	Year Blt	1922	Eff Year	1950
Units	1	Addns		Remod	
Heated Area	962	Int. Adjust.			
Story Height	1 Story	Other Features			
Style	Conventional				
Basement	Crawl Space				
Exterior	Aluminum Vinyl				
Const Type					
Heating	Central				
Air Cond	Central				
Plumbing	1 BATH				
		Base Bldg Value			\$91,175
		Grade		D	84%
		Cond %		C	51%
		Market Adj.		F	120%
		Market Adj.		B	75%
		Accrued %			46%
		Incomplete Code			
		Card 01 Value			\$35,153
		All Other Cards			
		Land Value Assessed			\$45,000
		Total Value Assessed			\$80,153

Main and Addition Summary					Other Improvements				
Story	Type	Code	Area	Inc	Units	DesItem	Code	Year	%ADJ Inc Value
M	1	ALVY/CS	962						
A	OP	R	25						
B	OP	R	168						
C									
D									
E									
F									
G									
H									

Building Sketch

Photograph
3/14/2013

0012358 03/14/2013